



UNITED STATES DEPARTMENT OF COMMERCE
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J-D

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/703,399	08/26/96	KURUMIDA T	862.811-C1

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EXAMINER

HONG, S

ART UNIT PAPER NUMBER

2176

DATE MAILED: 10/25/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/703,399

Applicant(s)

Kurumida

Examiner

Hong

Group Art Unit

2176

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8-7-2000
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 108-123 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 108-123 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Part III DETAILED ACTION

1. This action is responsive to communications: amendment filed on 8/7/2000 to the CPA request and amendment filed 8/3/98 to the application filed 8/26/96 which is a FWC of the application Ser. No. 08/155,656 filed 11/22/93; prior art filed 3/1/99.
2. In the amendment, claims 66-68, 70-71, 73-75, 77-78 and 80-105 have been canceled, and claims 108-123 have been added. Accordingly, claims 108-123 are pending in this case. Claims 108, 115, 122 and 123 are independent claims.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119, which papers have been placed of record in the file.

Drawings

4. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 108-123 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Seto, U.S. Pat. No. 5,398,311, 3/95 (filed 2/88) in view of Kokunishi et al., U.S. Pat. No. 4,897,638, 1/90 and Sakurai, U.S. Pat. No. 5,562,350, 10/96 (filed 4/89).

As per independent claim 108 and dependent claims 109-113, Seto discloses the following claimed elements in an outline forming apparatus:

- storing means for storing font data which include coordinate information indicating position of basic outline points for forming an outline of a pattern having a predetermined weight, and movement information, provided for each of the basic outline points individually, for moving each of the basic outline points using weight information indicative of weight of a pattern as a parameter (col.5, line 12, "A character pattern ..is expressed by a dot train P0, P1, P2" and col.3, line 2, "... reference character data is stored as coordinate point information on contours and which is provided arithmetic operating means ...[and] is enlarged

or reduced in accordance with designated output size."; also see FIG.2B and col.5, lines 36-51);

- input means for inputting weight information indicating a desired weight of an outline of a pattern to be generated (col.5, line 55, "the output size designated by the keyboard ...and mouse...");

- means for converting and generating an outline of the pattern having the weight indicated by the weight information input by said input means, said outline being generated from outline points which are obtained by moving the basic outline points based on said weight information, the coordinate information and the movement information (col.3, lines 6-20, "...with designated output size, the coordinate point information indicative of the main outer shape is first subject to arithmetic operation for enlargement or reduction by using the coordinate value information as the absolute values....").

However, Seto does not disclose using a selector, which is arranged for selecting either the first vector data or the second vector data, based on the weight value input by the inputter and determining an outline point by changing the coordinate data in accordance with either the first vector data or the second vector data selected by said selector.

As per the missing limitations, Kokunishi discloses an outline forming system using moving the control points (see FIG.5) and using the movement information of the points with respect to the different weight (col.3, lines 33-40). In the prior art, Kokunishi discloses the claimed element of: the movement information including position information indicating relative positions of outline points of the pattern having a weight different from the predetermined weight relative to the positions indicated by the coordinate information (col.9,

lines 33-62, "Even a stroke of a same class can have various edge-side shapes ... for example, the starting edge-side may be added with serif or not and the ending edge-side is a straight line or a curve."). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have incorporated Kokunishi's invention into Seto, since Kokunishi explicitly provided the motivation in the disclosure by teaching that "the present invention ..provide[s] ...character patterns of high quality, while providing ...the feasibility of design change"). Given that, Kokunishi and Seto is different from the claimed invention in that Kokunishi does not show the path information of the "first vector data" or the "second vector data" indicating a moving path of the outline points, to be selected in conjunction with change of the weight.. Although Kokunishi suggests varying the moving-path of the points so that different design styles can be assigned to different weights (col.9, lines 33-62, "*Even a stroke of a same class* can have various edge-side shapes.." suggests that different stroke class usually have different variance in the shape.) , Kokunishi does not explicitly show the use of the "first" and "second" vector data in the prior art. However, varying the style of a character with respect to the scaling weight was well known technique in the art, as Sakurai disclosed a character forming invention "in which each vector character font is provided with an effective size range of character generation and with information on vector character font of a style to be used outside said effective size range, thereby enabling character output with an optimum vector character font according to the character size (col.1, lines 45-50)." Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have incorporated, in the invention of Seto and Kokunishi, the means to vary the relative

positions of the points with each other to vary the style based on weight by assigning a plurality of vector data to each point, since Sakurai provided the explicit motivation by teaching that it would have solved the problems in the prior art (such as in Seto) that when "characters of all sizes are formed from a vector character pattern of a same style, small characters are easily filled in and become illegible (col.1, line 24)" and "[i]mage quality is deteriorated in a large character size, if the vector character pattern is simplified in complex portion (col.1, line 33)."

As per dependent claim 114, Seto further teaches a printer for generating the pattern (col.4, line 28).

Claims 115-123 recite substantially similar limitations as those in claims 108-114, and are similarly rejected under the same rationale.

Response to Amendment

7. Applicant's arguments with respect to claims 108-123 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory

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period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Hong whose telephone number is (703) 308-5465. The examiner can normally be reached on Monday-Friday from 8:00 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications; please mark
"EXPEDITED PROCEDURE")

Or:

(703) 305-9724 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).



Stephen Hong

Primary Examiner

October 23, 2000